

City of Mississauga Corporate Report



Date: August 15, 2025 To: Chair and Members of General Committee	Originator's files:
From: Marisa Chiu, CPA, CA, Commissioner of Corporate Services, Chief Financial Officer and Treasurer	Meeting date: September 3, 2025

Subject

Amendment to Procurement By-law 0013-2022

Recommendation

That a by-law be enacted to amend the Procurement By-law 0013-2022, to implement the recommended revisions outlined in the report from the Commissioner of Corporate Services, dated August 15, 2025, entitled "Amendment to Procurement By-law 0013-2022".

Executive Summary

- Procurement Services, Legal Services and Audit have developed an amendment to Procurement By-law 0013-2022.
- Added three (3) exemptions to the Procurement By-law, for certain real estate professional services, certain financial services and training and education.
- Updated Definitions to align with best practices, including the addition of a new procurement method: Advanced Contract Award Notice (ACAN).
- Added Innovation Procurement to Section 13 to allow staff to engage in proof of concept and innovation, where applicable and authorized.
- Updated several sections and terms to align with industry standard language.
- Updated Section 24 - Bid Protests to be general with procedural details moved to policy.
- Updated Section 25 - Supplier Performance and Suspension to be general with procedural details moved to policy.
- With Council approval, the amended by-law will become effective October 1, 2025, and will be communicated to staff through various methods.
- A summary of the proposed amendments to Procurement By-law 0013-2022 is found in Appendix 1 of this report.

Background

The City's By-law aligns with procurement law and best practices for public procurement and procurement of goods and services. Several relevant policies support the by-law and together,

these documents are important to ensure good governance, best value and compliance with legislation and trade agreements.

The current by-law was implemented in 2022. Procurement Services, Legal Services and Audit reviewed the current by-law with the objectives of updating and modernizing it, using plain language, and avoiding duplication of information. Emphasis remained on keeping the by-law general, with procedural details removed to separate policies, where possible. A summary of the proposed amendments to the Procurement By-law is found in Appendix 1.

An increase to the threshold for Medium Value Acquisitions was approved by Council in March 2025 and implemented by way of a by-law amendment at that time.

Comments

Highlights of the amendments include:

Updates to Definitions

Various updates to Definitions, as outlined in Appendix 1, to align with industry best practices.

Updates to Sections

Various updates to Sections, as outlined in Appendix 1, to align with industry best practices.

By-law Applicability

Updated the applicability of the By-law to exclude:

- a) Realty brokers and negotiators.
- b) Financial services respecting the management of government financial assets and liabilities (i.e. treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution; and
- c) training and education, including conferences, seminars, courses, conventions, workshops, staff training and staff development.

New Concepts

“Advanced Contract Award Notice (ACAN)” has been added to the by-law. The purpose of an ACAN is to conduct additional due diligence when a procurement is being recommended for single source. By issuing an ACAN to the market, it signals that the City intends to award a single source procurement to a specific supplier and invites bidders to submit their statement of capabilities proving there is competition for the same good and/or service or justifying the reasoning for a single source by proving there is no other alternative.

“Innovation Procurement” has been added to the by-law and refers to the Procurement of solutions that do not exist in the market or need to be adapted or improved to meet specified

needs and create value for users and the City. The purpose of Innovation Procurement is to allow staff to engage in proof of concept and innovation, where applicable and authorized.

Financial Impact

There is no financial impact resulting from the recommendation of this report.

Conclusion

Procurement Services, Legal Services and Audit have developed an amendment to the Procurement By-law.

A summary of the proposed amendments to the Procurement By-law is found in Appendix 1.

Attachments

Appendix 1: Summary of proposed amendments to the Procurement By-law



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